

DECLARATION FOR PATENT APPLICATION

As a below named inventor(s), I hereby declare that:

My residence, mailing address and citizenship are as stated below, next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**"AN UNSOLICITED ELECTRONIC MESSAGE SOURCE VERIFICATION AND TRACKING SYSTEM  
AND METHOD"**

the specification of which

X

is attached hereto.

was filed on \_\_\_\_\_ as

United States Application Number \_\_\_\_\_

or PCT International Application Number \_\_\_\_\_

and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims(s), as amended by any amendment referred to above.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 (copy attached).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), on any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			<u>Priority Claimed</u>	
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below

(Application Number)	(Filing Date)
(Application Number)	(Filing Date)

I hereby claim benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 (copy attached), which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)
(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)
(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor (given name, family name) Donald H. Osterberg Jr.

Inventor's Signature Don Osterberg Date 10/30/2003

Residence Redwood City, CA Citizenship USA  
(City, State) (Country)

Mailing Address 1021 Sixteenth Avenue, Redwood City, CA 94063, US

Title 37, Code of Federal Regulations, Section 1.56  
Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) Prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

Docket No. ORCL-2002-183-01  
(OID-2002-183-01)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Confirmation No.:  
Not Yet Assigned  
Donald H. Osterberg Jr. Group Art Unit No.:  
Not Yet Assigned  
Serial No.: Not Yet Assigned Examiner:  
Not Yet Assigned  
Filed on:

For: **AN UNSOLICITED ELECTRONIC MESSAGE SOURCE VERIFICATION AND  
TRACKING SYSTEM AND METHOD**

**POWER OF ATTORNEY  
AND REVOCATION OF PREVIOUS POWERS**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Oracle International Corporation, a Delaware corporation having a place of business at 500 Oracle Parkway, M/S 50P7, Redwood Shores, California 94065, certifies that to the best of its knowledge and belief it is the assignee or is entitled to ownership of the entire right, title, and interest in and to the above-referenced patent application by virtue of an Assignment filed concurrently herewith and represents that the undersigned is a representative authorized and empowered to sign on behalf of Oracle International Corporation, which hereby revokes all powers of attorney previously given and appoints the following attorney(s) and/or agent(s): James P. Hao, Reg. No. 36,398; Anthony C. Murabito, Reg. No. 35,295; John P. Wagner, Reg. No. 35,398; Glenn D. Barnes, Reg. No. 42,293; Thomas M. Catale, Reg. No. 46,434; Jose S. Garcia, Reg. No. 43,628; Mehl Dean Matthews, Reg. No. 46,127; Lin C. Hsu, Reg. No. 46,315; Ronald M. Pomerenke, Reg. No. 43,009; John F. Ryan, Reg. No. 47,050; William A. Zarbis, Reg. No. 46,120; Matthew J. Blecher, Reg. No. 46,558; Lawrence R. Goerke, Reg. No. 45,927 Eric J. Gash, Reg. No. 46,274; Reginald A. Ratliff, Reg. No. 48,098; Joel D. Youngs, Reg. No. 52,389; Michael R. Hardaway, Reg. No. 52,992 and Cheryl A. Eichtaedt, Reg. No. 50,761; all of

WAGNER, MURABITO & HAO  
Two North Market Street, Third Floor  
San Jose, California 95113  
and

Sanjay Prasad, Reg. No. 36,247; Roger Kennedy, Reg. No. 44,823; Carl L. Brandt, Reg. No. 44,555; Gabriela Buttz, Reg. No. 50,246 of ORACLE INTERNATIONAL CORPORATION with full power of

10/02/03

Docket No. ORCL-2002-183-01  
(OID 2002-183-01)

substitution and revocation, to prosecute this application and to transact all business in the Patent  
Trademark Office connected therewith. Send all future correspondence to the attention of  
Anthony C. Murabito, Reg. No. 35,295 at the above address and direct all  
telephone calls to (408) 938-9060.

Assignee of Interest:

Oracle      International      Corporation

Dated: 10-23-03  
By: RKC

By: RKC  
Name: Roger Kennedy  
Title: Patent Counsel

Address of Assignee of Interest:

Oracle International Corporation

500 Oracle Parkway - M/S 50P7  
Redwood Shores, CA 94065